

ORDINANCE NO. 3849

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, RELATING TO REGULAR PROPERTY TAXES; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2011 GENERAL ELECTION OF A PROPOSITION AUTHORIZING AN INCREASE IN THE REGULAR PROPERTY TAX LEVY IN EXCESS OF THE INCREASE OTHERWISE ALLOWED BY CHAPTER 84.55 RCW TO FUND STREET PAVEMENT OVERLAYS; SETTING FORTH THE BALLOT TITLE THEREFORE; REQUESTING THAT THE SNOHOMISH COUNTY AUDITOR PLACE THE PROPOSITION ON THE NOVEMBER 8, 2011 BALLOT; AND FIXING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, RCW 84.55.050 provides for the levy of regular property taxes in an amount exceeding the limitations specified in chapter 84.55 RCW if such increased levy is authorized by a ballot proposition approved by a majority of the voters at an election held within the taxing district (a "levy lid lift"); and

WHEREAS, the City Council has determined that it is in the best interest of the City and its residents to submit a levy lid lift proposition under RCW 84.55.050(1) to the voters for their approval or rejection; and

WHEREAS, according to the Snohomish County Assessor's Annual Report for 2011 Taxes, the City of Edmonds regular property tax levy for 2011 amounted to \$9,499,558.01; and

WHEREAS, the City of Edmonds 2011 regular property tax levy rate per \$1,000 of assessed valuation was 1.47663233; and

WHEREAS, the City of Edmonds also has an additional EMS levy rate that is fixed at 0.5 per \$1,000 of assessed valuation; and

WHEREAS, the City of Edmonds also has an additional 2011 levy rate 0.14572144 per \$1,000 of assessed valuation for G.O. bonds related to public safety; and

WHEREAS, in 2011 these three rates combined to create a total City of Edmonds levy rate of 2.12235377 per \$1,000 of assessed valuation; and

WHEREAS, the City of Edmonds assessed valuation for 2011 was \$6,433,258,853; and

WHEREAS, the Snohomish County Assessor's Office estimates that the City's 2012 assessed value will be approximately \$5,794,962,200; and

WHEREAS, the City of Edmonds can increase its regular property tax levy by 1% each year without voter approval; and

WHEREAS, in 2012 the City of Edmonds could levy regular property taxes (which do not include the EMS levy and the GO bond levy) of approximately \$9,594,553.59 without voter approval and without including any increased revenue associated with new construction; and

WHEREAS, without any additional voter authorization, the City of Edmonds regular property tax levy rate for 2012 would be approximately 1.655671471 per \$1,000 in assessed valuation; and

WHEREAS, the City Council has determined to ask the voters whether they are willing to fund an additional One Million Dollars (\$1,000,000.00) to fund street pavement overlays through a levy lid lift for each of the years 2012, 2013, and 2014; now therefore,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Levy Lid Lift Election Called For. Pursuant to RCW 84.55.050, the Edmonds City Council hereby calls for submission of a proposition to the qualified electors of the City asking whether the City shall levy regular property taxes in excess of the limitation established in RCW 84.55.010. The Snohomish County Auditor, as *ex officio* supervisor of elections in Snohomish County, is hereby requested to call and conduct the election referenced herein in the City of Edmonds on November 8, 2011. The proposition to be submitted to the qualified voters of the City for their approval or rejection is to authorize increasing the City's regular property tax levy by 0.17256368 per \$1,000 of assessed valuation, to a total regular (not including EMS or GO bond) property tax levy rate of 1.82823515 per one thousand dollars of assessed valuation (if only this proposition passes), for collection beginning in 2012. If this proposition is approved, the City Council will be authorized to adopt, in accordance with its regular budget process, an increased regular property tax as described herein.

Section 2. Purpose of Levy and Description of Ballot Proposition. For the purposes identified below, the City Council seeks voter approval under RCW 84.55.050 for a levy lid lift, as follows:

- (a) Purpose. The amounts collected pursuant to the increase authorized by the Proposition may be used to fund street pavement overlays.
- (b) Increase Authorized Beginning in 2012. The Proposition authorizes a maximum increase in the City's total levy rate to the maximum rate otherwise allowed for collection in 2012 under chapter 84.55 RCW plus not to exceed 0.17256368 per \$1,000 of assessed value. The total regular property tax rate produced is estimated to be approximately 1.82823515 per \$1,000 of assessed value (if only this proposition passes), based on estimated 2012 assessed values.
- (c) Increase Authorized for Future Years through 2014. Pursuant to RCW 84.55.050(4), the dollar amount of the maximum authorized levy under chapter 84.55 RCW for collection in 2012 shall be used for the purpose of computing the limitations for subsequent levies in 2013 and 2014 provided for under chapter 84.55 RCW, and such funds shall be limited to the purposes described in Section 2(a), above.

Section 3. Ballot Proposition. The City Clerk is hereby authorized and directed, not later than August 16, 2011, to certify a copy of this ordinance and a proposition to the Auditor of Snohomish County, as *ex officio* Supervisor of Elections in Snohomish County Washington, in substantially the following form:

CITY OF EDMONDS

PROPOSITION NO. 2

Levy for Street Pavement Overlays

The Edmonds City Council has passed Ordinance No. 3849 to place before the voters property taxes to fund street pavement overlays. This proposition would authorize an increase in the regular property tax rate for collection in 2012 of 0.17256368 per \$1,000 of assessed valuation, for a total regular property tax rate (if only this proposition passes) of 1.82823515 per \$1,000 of assessed valuation. Use of the additional 0.17256368 per \$1,000 of assessed valuation would fund street pavement overlays. The 2012 levy amount would become the basis upon which levy increases would be computed for 2013 and 2014. Should this proposition be approved?

YES _____ NO _____

Section 4. Changes. The Mayor and City Attorney are authorized to make such minor adjustments to the wording of such proposition as may be recommended by the Snohomish County Auditor, as long as the intent of the proposition remains clear and consistent with the intent of this Ordinance as approved by the City Council.

Section 5. Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates the City Clerk.

Section 6. Severability. The recitals stated above (i.e., the "Whereas" clauses) constitute specific findings by the City Council in support of passage of this ordinance. If any provision of this ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this ordinance, and shall in no way affect the validity of the other provisions of this ordinance or of any other ordinance or resolution, or of the levy or collection of the taxes authorized herein.

Section 7. Effective Date. This ordinance shall take effect and be in force five days after publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Edmonds at a regular open public meeting thereof this 2nd day of August, 2011.

CITY OF EDMONDS




Mayor Mike Cooper

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney
4844-6466-8170, v. 1

FILED WITH THE CITY CLERK:	07-29-2011
PASSED BY THE CITY COUNCIL:	08-02-2011
PUBLISHED:	08-07-2011
EFFECTIVE DATE:	08-12-2011
ORDINANCE NO. <u>3849</u>	

SUMMARY OF ORDINANCE NO. 3849

of the City of Edmonds, Washington

On the 2nd day of August, 2011, the City Council of the City of Edmonds, passed Ordinance No. 3849. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, RELATING TO REGULAR PROPERTY TAXES; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2011 GENERAL ELECTION OF A PROPOSITION AUTHORIZING AN INCREASE IN THE REGULAR PROPERTY TAX LEVY IN EXCESS OF THE INCREASE OTHERWISE ALLOWED BY CHAPTER 84.55 RCW TO FUND STREET PAVEMENT OVERLAYS; SETTING FORTH THE BALLOT TITLE THEREFORE; REQUESTING THAT THE SNOHOMISH COUNTY AUDITOR PLACE THE PROPOSITION ON THE NOVEMBER 8, 2011 BALLOT; AND FIXING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 3rd day of August, 2011.


CITY CLERK, SANDRA S. CHASE

City Attorney's Explanatory Statement for Proposition 2

Without voter approval, the City of Edmonds can increase the amount of regular property taxes it collects by only 1% (approximately) each year. This limit is called the "levy lid." Under this limit, in 2012, Edmonds can collect regular property taxes at a rate of approximately \$1.66 per \$1,000 of assessed valuation without voter approval.

With voter approval, this proposition would authorize the City of Edmonds to collect approximately \$1,000,000 over the levy lid for each of three years (2012-2014). This additional revenue would be used to fund street pavement overlays. If only this proposition passes (Propositions 1 and 3 would increase the levy lid for other purposes), the City of Edmonds will be allowed to increase the regular property tax rate in 2012 by approximately 17 cents per \$1,000 of assessed valuation. For example, this proposition would increase the regular property tax bill on a \$375,000 home by approximately \$65 in 2012.

For regular property taxes collected after 2014, the maximum tax levy would be determined as if this proposition had not been approved.


Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

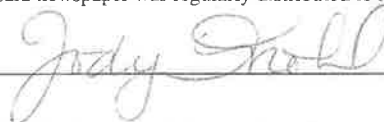
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The full text of this Ordinance will be mailed upon request.
DATED this 3rd day of August, 2011.
CITY CLERK, SANDRA S. CHASE
Published: August 7, 2011.

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

August 07, 2011

and that said newspaper was regularly distributed to its subscribers during all of said period.

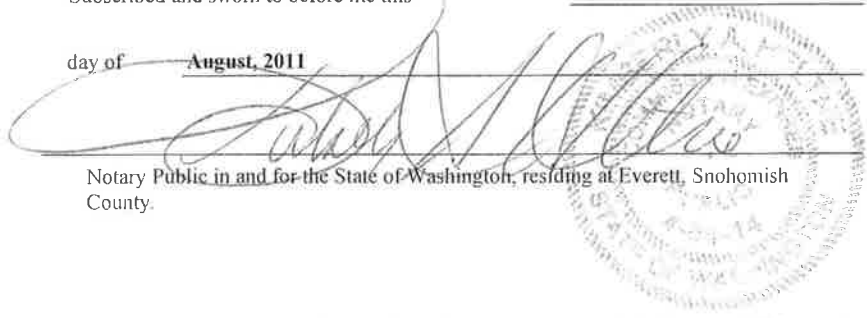


Principal Clerk

Subscribed and sworn to before me this

8th

day of August, 2011


Notary Public in and for the State of Washington, residing at Everett, Snohomish County.